

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM SOUTH CAROLINA ADMINISTRATIVE LAW COURT

S. Phillip Lenski, Administrative Law Judge

Case No. 18-ALJ-30-0182-AP

RECEIVED
MAY 17 2019
SC Court of Appeals

Alicia Bolden,

Appellant,

vs.

South Carolina Department of Disabilities and Special Needs,

Respondent,

MOTION TO STRIKE MATTERS DESIGNATED BY APPELLANT
IN THE RECORD ON APPEAL AND TO ADOPT RESPONDENT'S DESIGNATION
MATTERS TO BE INCLUDED IN THE RECORD ON APPEAL

Respondent respectfully moves this court to strike the following from the Record on Appeal as filed by the Appellant:

Respondent's Brief to the SCALC of December 19, 2018

Respondent's Motion to the SCALC of November 21, 2018

Respondent's Motion to the SCALC of November 14, 2018

Appellant's Brief to the SCALC of October 31, 2018

Appellant's Motion to the SCALC of August 15, 2018

SCALC Order of August 14, 2018

Motion to the SCALC of August 10, 2018

Emailed Communication to the SCALC of July 18, 2018

Appellant's Motion to the SCALC of July 19, 2018

Motion to the SCALC of July 11, 2018

SCALC Amended Notice of Assignment of May 30, 2018

Letter & Affidavit to the SCALC of May 29, 2018

Respondent's Letter to the SCALC of May 25, 2018

SCALC Notice of Assignment of May 25, 2018

Appellant's Financial Statement to the SCALC of May 18, 2018

Appellant's Request for Waiver and Affidavit to the SCALC of May 18, 2018

Appellant's Notice of Appeal to the SCALC of May 21, 2018

Letter to the SCALC of October 5, 2018

Termination Letter of April 25, 2012

Notice of Personnel Separation of April 20, 2012

This Motion is based on the grounds:

1. Documents listed were not a part of the record on which the Appeal is based.
2. Appellant is including documents, specifically, Termination Letter of April 25, 2012, and Notice of Personnel Separation of April 20, 2012, that were never in evidence, so therefore cannot be included in the Records on Appeal.

South Carolina Department of Disabilities and Special Needs has previous filed a Motion with the court to remove said documents when Appellant attached them to her brief (see attached). The court returned those documents to the Appellant, yet she has tried to include them again.

WHEREFORE, Respondent respectfully requests this court that all listed documents be removed from the Record on Appeal and to adopt the Designation as filed with this court by Respondent on April 23, 2019.

SOUTH CAROLINA DEPARTMENT OF
DISABILITIES AND SPECIAL NEEDS

By: Tana Vanderbilt

Tana Vanderbilt
General Counsel
SC Bar No. 5690
E-Mail: tvanderbilt@ddsn.sc.gov
P.O. Box 4706
Columbia, SC 29240
(803) 898-9683

Attorney for Respondent

Columbia, South Carolina

May 15, 2019



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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April 09, 2019

Alicia Bolden
1115 Carnegie Avenue
Charleston SC 29407

Re: Alicia Bolden v. SCDDSN
Appellate Case No. 2019-000301

Dear Ms. Bolden:

We are in receipt of your appellant's initial brief filed on March 25, 2019. Enclosed are the attachments filed along with your appellant's initial brief. Please be advised that these attachments cannot be considered as part of your appellant's initial brief. Therefore, we are returning them to you.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Tana G. Vanderbilt, Esquire

PROOF OF SERVICE OF INITIAL BRIEF OF RESPONDENT

THE STATE OF SOUTH CAROLINA

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vs.

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Appellant, MAY 17 2019

SC Court of Appeals

PROOF OF SERVICE

I certify that I have served the Motion to Strike Matters Designated by Appellant in the Record on Appeal on Alicia Bolden, 1115 Carnegie Avenue, Charleston, SC 29407, by depositing a copy of it in the United States Mail, postage certified mail, on May 15, 2019.

Date: _____

5/15/19

Tana Vanderbilt

Tana Vanderbilt
General Counsel
South Carolina Department of Disabilities
and Special Needs
P.O. Box 4706
Columbia, SC 29240
Attorney for Respondent

Mary Poole
State Director
Patrick Maley
Deputy Director
Rufus Britt
Associate State Director
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Susan Kreh Beck
Associate State Director
Policy
Lisa B. Weeks
Chief Financial Officer



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3440 Harden Street Ext (29203)
PO Box 4706, Columbia, South Carolina 29240
803/898-9600
Toll Free: 888/DSN-INFO
Website: www.ddsn.sc.gov

May 15, 2019

Ms. Jenny Abbott Kitchings
Clerk of Court
Court of Appeals
1220 Senate Street
Columbia, SC 29201

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MAY 17 2019
SC Court of Appeals

RE: Alicia Bolden v. S.C. Department of Disabilities and Special Needs
Appellate Case No.: 2019-000301

Dear Ms. Kitchings:

Enclosed please find the original and two copies of the Respondent's Motion to Strike Matters Designated by Appellant in the Record on Appeal in regard to the above referenced matter. Also enclosed is the Proof of Service. By copy of this letter with enclosure, I am serving same upon the Appellant.

If you have any questions, please do not hesitate to contact me at 898-9683 or by email at tvanderbilt@ddsn.sc.gov. Please return a filed copy in the enclosed self-addressed stamped envelope. Thank you.

Sincerely,

Tana Vanderbilt
General Counsel

Encls.

cc: Ms. Alicia Bolden, Appellant via certified mail 7017 0190 0000 9625 8225

DISTRICT I

P.O. Box 239
Clinton, SC 29325-5328
Phone: (864) 938-3497

Midlands Center - Phone: 803/935-7500
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9995 Miles Jamison Road
Summerville, SC 29485
Phone: 843/832-5576

Coastal Center - Phone: 843/873-5750
Pee Dee Center - Phone: 843/664-2600
Saleeby Center - Phone: 843/332-4104



PO Box 4706
Columbia SC 29240



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